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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

MICHAEL GUEST,

Plaintiff,

-against-

DEPARTMENT OF CORRECTIONS  
CITY OF NEW YORK, et al.,

Defendants.

1:22-cv-972 (MKV)

ORDER

MARY KAY VYSKOCIL, United States District Judge:

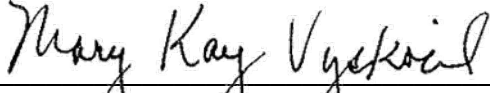
Plaintiff initiated this action by filing a complaint on February 2, 2022. [ECF No. 2]. On August 5, 2022, Defendants moved to dismiss the complaint. [ECF Nos. 16-18]. As of the date of this order, the Court has not received Plaintiff's opposition to the Defendants' motion to dismiss. IT IS ORDERED that Plaintiff shall file his opposition to the motion to dismiss or file a letter indicating that no opposition will be filed by October 13, 2022. If Plaintiff files an opposition, Defendants' reply, if any, is due by October 20, 2022. If Plaintiff opts not to file an opposition, the motion will be deemed unopposed.

Plaintiff is advised that failure to comply with this order may result in the case being dismissed for failure to prosecute. *See* Fed. R. Civ. P. 41(b); *Baptiste v. Sommers*, 768 F.3d 212, 216 (2d Cir. 2014) ("Rule 41(b) of the Federal Rules of Civil Procedure authorizes the district court to dismiss an action if the plaintiff fails to prosecute or to comply with the rules or a court order." (internal quotation marks omitted) (alterations adopted)).

The Clerk of the Court is respectfully requested to mail a copy of this order to the *pro se* Plaintiff at the address of record.

**SO ORDERED.**

**Date: September 22, 2022**  
**New York, NY**

  
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**MARY KAY VYSKOČIL**  
**United States District Judge**